



Seyfarth Shaw LLP

620 Eighth Avenue
New York, New York 10018
T (212) 218-5500
F (212) 218-5526

jegan@seyfarth.com
T (212) 218-5291

www.seyfarth.com

MEMO ENDORSED

April 2, 2020

VIA ECF

Hon. Edgardo Ramos
United States District Judge
United States District Court for the Southern District of New York
40 Foley Square, Courtroom 619
New York, NY 10007

Re: Thorne v. Panda Express, Inc., Civil Action No.: 1:19-cv-10101-ER (S.D.N.Y.)

Dear Judge Ramos:

This firm represents Defendant Panda Express, Inc. ("Defendant") in the above-referenced action. We have conferred with Plaintiff's counsel and write, with Plaintiff's concurrence, to jointly request a stay of this action until August 12, 2020.

By way of background, Defendant filed a pre-motion letter on March 4, 2020 (ECF No. 14), which Plaintiff responded to by letter dated March 5, 2020. (ECF No. 15.) The Court scheduled a pre-motion conference for April 16, 2020. (ECF No. 16.)

The parties respectfully request that this action be stayed to allow for the resolution of motions to dismiss in similar matters arising out of gift cards that do not include Braille, which are currently pending before the Court and other judges in this District and the Eastern District of New York. The stay would allow the parties to have the benefit of the Court's analysis of the issues in other matters which will inform their assessment of the pending case. It will also conserve resources of both the parties and the Court. Similar stays were recently granted on the same grounds by this Court in *Dominguez v. Marshalls of MA, Inc.*, Case No. 1:19-cv-10626 (S.D.N.Y.) (ECF No. 20) and *Tucker v. Chick-fil-A*, Case No. 1:19-cv-09844 (S.D.N.Y.) (ECF No. 16), by Judge Abrams in *Delacruz v. Five Below, Inc.*, Case No. 1:19-cv-10294-RA (S.D.N.Y.) (ECF No. 16), *Matzura v. New Balance Athletics, Inc.*, Case No. 1:19-cv-11344-RA (S.D.N.Y.) (ECF No. 18), and *Mendez v. The Men's Wearhouse, Inc.*, 1:19-cv-11765-RA (S.D.N.Y.) (ECF No. 15), by Judge Caproni in *Calcano v. Drybar Holdings LLC*, Case No. 1:19-cv-11389-VEC (S.D.N.Y.) (ECF No. 10) and *Mendez v. JA Apparel Corp.* Case No. 1:19-cv-11807) (S.D.N.Y.) (ECF No. 10), by Judge Woods in *Calcano v. Domino's Pizza, Inc.*, Case No. 1:19-cv-09823-GHW (S.D.N.Y.) (ECF No. 24) and *Delacruz v. Jamba Juice*, Case No. 1:19-cv-10321-GHW (S.D.N.Y.) (ECF No. 20), by Judge Failla in *Calcano v. Guess, Inc.*, Case No. 1:19-cv-10441-KPF (S.D.N.Y.) (ECF No. 18), by

Judge Liman in *Mendez v. Jos. A. Bank Clothiers, Inc.* Case No. 1:19-cv-11756-LJL (S.D.N.Y.) (ECF No. 16) and *Sosa v. Under Armour Retail, Inc. et al*, Case No. 1:19-cv-10759-LJL (S.D.N.Y.) (ECF No.29), and by Judge Daniels in *Delacruz v. Converse Inc.*, Case No. 1:19-cv-10293-GBD (S.D.N.Y.) (ECF No. 20.) The orders are enclosed for the Court's convenience.

We thank the Court for its time and attention to this matter, and for its consideration of this application.

Respectfully submitted,

SEYFARTH SHAW LLP

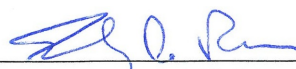
/s/ John W. Egan

John W. Egan

cc: All counsel of record (via ECF)

The request for a stay until August 12, 2020 is granted. The pre-motion conference is adjourned until August 13, 2020 at 11:30 AM.

It is SO ORDERED.



Edgardo Ramos, U.S.D.J
Dated: 4/13/2020
New York, New York